

veston Chamber of Commerce on the first annual Galveston Island "250" Speed Classic.

S. R. No. 514—By Senator Mauzy: Extending greetings and welcome as a new Texas citizen to Miss Sarah Mullaney Clower.

S. R. No. 516—By Senator Herring: Extending welcome to sponsor and students of sixth grade of Walnut Creek Elementary School of Austin.

S. R. No. 517—By Senators Jordan, Cole and Brooks: Extending welcome to ninth grade class of Carter G. Woodson Junior High School of Houston.

S. R. No. 518—By Senator Herring: Extending welcome to teacher and students of Bastrop Public Schools.

S. R. No. 519—By Senator Schwartz: Extending welcome to members of Brazosport Chamber of Commerce.

S. R. No. 520—By Senator McKool: Extending congratulations to De Jean Miller on winning a spelling bee.

S. R. No. 521—By Senator McKool: Extending congratulations to ninth grade track team of Bussey Junior High School of Garland, City Track Tournament Champions for 1968.

S. R. No. 522—By Senator McKool: Extending congratulations to Miss Trina Kay Tieber for her achievement in figure skating.

S. R. No. 523—By Senator McKool: Extending congratulations to eighth grade track team of Bussey Junior High School, City Track Champions for 1968.

S. R. No. 524—By Senator Schwartz: Extending welcome to students from College of the Mainland of Galveston.

S. R. No. 525—By Senator Harrington: Extending welcome to Mr. and Mrs. John Burget of Port Arthur.

S. R. No. 526—By Senator Aikin: Extending welcome and privileges of the floor for the day to Mrs. Neal Solomon of Mt. Vernon.

S. R. No. 527—By Senator Watson: Extending welcome and privileges of the floor for the day to Judge Frank Wilson, et al., of Waco.

### Adjournment

On motion of Senator Aikin the Senate at 7:30 o'clock p.m. adjourned until 9:30 o'clock a.m. tomorrow.

### APPENDIX

#### Sent to Governor

April 16, 1969

S. B. No. 345

### FIFTY-SECOND DAY

(Thursday, April 17, 1969)

The Senate met at 9:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

#### Absent

Bridges Connally

Absent—Excused

Harrington

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Watson.

**Senate Bills on First Reading**

The following local bills were introduced, read first time and referred to the Committee indicated:

By Senator Hazlewood:

S. B. No. 755, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Lake Tanglewood Utility District; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V. T. C. S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the

Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe line made necessary by its exercise of the power of eminent domain; defining 'sole expense'; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.S.C.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Watson:

S. B. No. 756, A bill to be entitled "An Act amending Section 12, Chapter 248, Acts of the 52nd Legislature, 1951 (Article 1970-298b, Vernon's Texas Civil Statutes), relating to the compensation of the judge of the County Court at Law of McLennan County; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

**Resolution Signed**

The President signed in the presence of the Senate after the caption

had been read, the following enrolled resolution:

S. C. R. No. 63, Providing for removal of pictures from first floor rotunda of Capitol on April 18-19, 1969 and closing of east drive to Capitol on April 19, 1969.

#### Reports of Standing Committees

Senator Creighton submitted the following reports:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 590, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 591, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

Senator Hall submitted the following report:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 756, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman  
WORD

#### House Bill 591 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 591 was ordered not printed.

#### House Bill 590 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 590 was ordered not printed.

(Senator Jordan in the Chair.)

#### House Bill 179 on Second Reading

On motion of Senator Creighton, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 179, A bill to be entitled "An Act relating to dissolution of certain inactive districts created under Article XVI, Section 59, or Article III, Section 52, Constitution of the State of Texas; and declaring an emergency."

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Amend H. B. 179 by striking out Section 6 and substituting therefor the following:

"Section 6. Appeals from a commission order dissolving a district shall be filed and heard in the District Court of any of the counties where the land lies."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend H. B. 179 by adding a new Section 6(a) to read as follows:

"Section 6(a). Such trial, on appeal, shall be de novo, and the substantial evidence rule shall not apply."

The amendment was read and was adopted.

On motion of Senator Creighton, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 179 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that H. B. No. 179 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Hazlewood	Watson
Herring	Word

## Absent

Bridges	Harris
Connally	Wilson

## Absent—Excused

Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Vote by Which Senate Concurred  
in House Amendments to Senate  
Joint Resolution 8 Recon-  
sidered**

Senator Wilson moved to reconsider the vote by which the Senate concurred in House amendments to S. J. R. No. 8.

The motion prevailed.

Question—Shall the Senate concur in House amendments to S. J. R. No. 8?

Senator Wilson then moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the resolution.

The motion prevailed.

Accordingly, the Presiding Officer announced the appointment of the following conferees on the part of the Senate on the resolution:

Senators Wilson, Mauzy, Aikin, Word and Herring.

## House Bill 504 on Second Reading

On motion of Senator Patman, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 504, A bill to be entitled "An Act relating to the authority of the San Patricio County Navigation District No. 1 to acquire, maintain, and operate or contract for the operation of public airports; relating to the acquisition of federal and state grant-in-aid funds; providing for the disbursement of funds acquired; and declaring an emergency."

The bill was read second time and passed to third reading.

## House Bill 504 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 504 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

## Absent—Excused

Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yes—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

## Absent—Excused

Harrington

Senate Joint Resolution 32 on  
First Reading

By unanimous consent, Senator McKool moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

## Absent—Excused

Harrington

The following resolution was then introduced, read first time and referred to the Committee indicated:

By Senator McKool:

S. J. R. No. 32, Proposing an amendment to Section 51, Article XVI, Constitution of the State of Texas, increasing the value of the homestead which is exempt from forced sale.

To the Committee on Constitutional Amendments.

## Senate Bill 757 on First Reading

Senator McKool moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

## Absent—Excused

Harrington

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator McKool:

S. B. No. 757, A bill to be entitled "An Act relating to an increase in the value of the homestead which is exempt from forced sale; amending Article 3833, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on State Affairs.

## House Bill 65 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 65, A bill to be entitled "An Act relating to the employment and salaries of the county attorney and assistant county attorneys, investigators, and secretaries for the county attorney in certain counties; amending Chapter 484, Acts of the 59th Legislature, Regular Session, 1965 (Article 1886b-1, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 65 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 65 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

#### Absent—Excused

#### Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

#### Absent—Excused

#### Harrington

#### House Bill 90 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the reg-

ular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 90, A bill to be entitled "An Act relating to the supplemental salary of the District Attorney for the 47th Judicial District; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 90 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 90 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

#### Absent—Excused

#### Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—30

Aikin	Hall
Bates	Harris
Bernal	Hazlewood
Berry	Herring
Blanchard	Hightower
Bridges	Jordan
Brooks	Kennard
Christie	Mauzy
Cole	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff

Schwartz	Watson
Snelson	Wilson
Strong	Word

Absent—Excused

Harrington

**House Bill 590 on Second Reading**

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 590, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Thompson Road Utility District'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 590 on Third Reading**

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 590 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Harrington

**House Bill 591 on Second Reading**

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 591, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Lynchburg Utility District'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 591 on Third Reading**

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 591 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Harris
Bates	Hazlewood
Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Bridges	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Snelson

Strong  
Watson

Wilson  
Word

Absent—Excused

Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Harrington

Senate Concurrent Resolution 65

Senator Watson offered the following resolution:

S. C. R. No. 65, Providing for the creation of the Committee on Preschool Education Standards.

Whereas, It is the consensus of many distinguished educators, including Professor Bloom, of the University of Chicago, that 50 percent of a child's learning occurs during the first five years of his life; and

Whereas, The State of Texas has no statutes enabling the Texas Education Agency or other authority to set educational standards for day care facilities, headstart programs, nursery schools, and kindergartens operated with either public or private funds, or a combination of both; and

Whereas, It is vitally important to the future of this state and it is a governmental responsibility to Texas children that those in the preschool years be given the opportunity for the best possible start in the learning process; now, therefore, be it

Resolved by the Senate of the 61st Legislature, the House of Representatives concurring, That the Texas Leg-

islature hereby create a special interim committee to make a thorough study of public and private day care and educational services in Texas for children under six. The committee shall be called the Committee on Preschool Education Standards, and it shall conduct its investigations looking toward the development of a system of standards applicable to day care facilities, headstart programs, nursery schools, and kindergartens in the three areas of (1) educational services, and the personnel to provide such services; (2) social services, and corresponding personnel; and (3) health services and health personnel; and, be it further

Resolved, That the committee shall be composed of 15 members, including five Senators, appointed by the Lieutenant Governor; five Members of the House of Representatives, appointed by the Speaker of the House; and five members of the public, appointed by the Governor; and, be it further

Resolved, That from the contingent expense fund of the House and the Senate equally the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Resolution and other necessary expenses of operation of the committee shall be paid from the contingent expense funds of the House and Senate equally; the committee shall prepare a budget for the operating expenses of said committee, which shall be submitted to the Contingent Expenses Committee of the Senate and the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of non-budgeted expense must also be obtained from the Contingent Expenses Committee of the Senate and the House Administration Committee; and, be it further

Resolved, That the Texas Education Agency, the State Department of Health, and the State Department of Public Welfare be requested to cooperate with the committee in the conduct of the study; the Texas Legislative Council, along with the Coordinating Board, Texas College and University System, the Legislative Budget Board, and public school systems so requested, shall be directed to provide staff for the committee; and, be it further

Resolved, That the committee shall make its complete report, including



findings and recommendations and drafts of any legislation that may be proposed, to the 62nd Legislature, when it convenes in January, 1971.

The resolution was read and was referred to the Committee on Contingent Expenses.

#### Reports of Standing Committees

Senator Hightower, by unanimous consent, submitted the following report:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Contingent Expenses, to which was referred S. C. R. No. 65, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. C. R. No. 74, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman  
WORD

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 765, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

House Concurrent Resolution 74  
Ordered Not Printed

On motion of Senator Hall, and by

unanimous consent, H. C. R. No. 74 was ordered not printed.

#### House Concurrent Resolution 74 on Second Reading

On motion of Senator Hall, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 74, Granting the Southwest Area Council of the Young Men's Christian Association permission to use the House and Senate Chambers.

The resolution was read.

On motion of Senator Hall, and by unanimous consent the resolution was considered immediately and was adopted.

#### At Ease

The Presiding Officer announced at 10:05 o'clock a.m. that the Senate would stand At Ease Subject to the Call of the Chair.

#### In Legislative Session

The President called the Senate to order at 10:17 o'clock a.m. today.

#### Leave of Absence

Senator Bridges was granted leave of absence for the remainder of today on account of important business on motion of Senator Mauzy.

(President in the Chair.)

#### Senate Bill 98 on Second Reading

Senator Brooks moved to suspend the regular order of business and Senate Rule 14 and take up S. B. No. 98 for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Grover
Bates	Hall
Bernal	Harris
Berry	Hazlewood
Blanchard	Herring
Brooks	Hightower
Christie	Jordan
Cole	Kennard
Connally	Mauzy
Creighton	McKool

Moore	Strong
Patman	Watson
Ratliff	Wilson
Schwartz	Word
Snelson	

Absent—Excused

Bridges	Harrington
---------	------------

The President laid before the Senate on its second reading and passage to third reading:

S. B. No. 98, A bill to be entitled "An Act relating to qualifications and examinations of applicants for a license to engage in the occupation of hairdresser, cosmetologist, or manicurist, amending Subsection (a), Section 4, Chapter 304, Acts of the 44th Legislature, Regular Session, 1935, as amended (Article 734b, Vernon's Texas Penal Code); and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following Committee Amendment to the bill:

Amend S. B. 98 by striking all of subsection (2) of Section 1 and substituting in lieu thereof the following:

"(2) Evidence that such applicant is a graduate of a beauty culture school which has been licensed by the Board and has completed the hours and months of instruction in a licensed beauty culture school or schools required by this Act, or certification that such applicant has successfully completed one thousand (1,000) hours of beauty culture courses prescribed by the State Board of Hairdressers and Cosmetologists, taken in a public vocational school or schools approved by or for the state board of education, and five hundred (500) hours of related high school courses taken concurrently or not concurrently, or evidence that such applicant holds either a current or expired license of this state or any other state having requirements similar to the provisions of this Act; all school hours shall count up to the time of examination";

The Committee Amendment was read and was adopted.

Senator Brooks offered the following amendment to the bill:

Amend paragraph (4) of subsection (a) in Section 1 of S. B. No. 98 by deleting the words "Ten Dollars (\$10)" and substituting in lieu thereof the words "Fifteen Dollars (\$15)."

The amendment was read and was adopted.

On motion of Senator Brooks, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 98 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 98 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Bridges	Harrington
---------	------------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Harris
Brooks	Hazlewood
Christie	Herring
Cole	Hightower

Jordan	Schwartz
Kennard	Snelson
Mauzy	Strong
McKool	Watson
Moore	Wilson
Patman	Word
Ratliff	

Absent—Excused

Bridges Harrington

Leave of Absence

Senator Connally was granted leave of absence for the remainder of today on account of important business on motion of Senator Hightower.

**Senate Bill 747 on Second Reading**

Senator Blanchard moved to suspend the regular order of business and Senate Rules 14 and 36 to take up S. B. No. 747 for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bridges Harrington  
Connally

The President laid before the Senate on its second reading and passage to third reading:

S. B. No. 747, A bill to be entitled "An Act relating to the board of regents of Texas Technological College; amending Article 2630, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 747 on Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rule

32 requiring bills to be read on three several days be suspended and that S. B. No. 747 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bridges Harrington  
Connally

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bridges Harrington  
Connally**House Joint Resolution 30 Postponed**

On motion of Senator Schwartz, and by unanimous consent, H. J. R. No. 30 was postponed until Wednesday, April 23, 1969, following the Morning Call.

**House Bill 137 Postponed**

On motion of Senator Watson, and by unanimous consent, H. B. No. 137

was postponed until Thursday, April 24, 1969, following the Morning Call.

#### House Bill 76 Postponed

On motion of Senator Brooks, and by unanimous consent, H. B. No. 76 was postponed until Wednesday, April 23, 1969, following the Morning Call.

#### Message From the House

Hall of the House of Representatives

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of of the Conference Committee on S. J. R. No. 8. House Conferees are: Representatives Traeger, Clayton, Floyd, Jones of Lubbock, Semos.

H. C. R. No. 93, Inviting the Honorable Edmund S. Muskie, to address a joint session of the 61st Legislature.

H. C. R. No. 94, Inviting Senator Ralph Yarborough to address a joint session of the 61st Legislature.

The House has adopted the Conference Committee Report on S. J. R. No. 8 by a vote of 106 ayes, 37 noes.

H. B. No. 122, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session, 50th Legislature (establishing and regulating the Texas Municipal Retirement System), as amended by Chapter 24, Acts of the Regular Session, 51st Legislature (and as further amended by Chapter 33, Acts of the Regular Session, 54th Legislature, by Chapter 312, Acts of the Regular Session, 56th Legislature, by Chapter 107, Acts of the Regular Session, 58th Legislature, and by Chapter 682, Acts of the Regular Session, 59th Legislature), as follows: amending Subsections 8, 14, 16, 21, 23, and 24 of Section II of said Act; amending paragraphs (a), (b), and (c) of Subsection 2 of Section IV of said Act; amending Subsections 2, 3, and 4 of Section V of said Act; amending Sub-

sections 1, 2, 6, and 7 of Section VII of said Act; amending Subsection 6 of Section VIII of said Act; further amending said Act by adding thereto a new section to be numbered Section XV of said Act, providing for and allowing any participating municipality at its election and subject to the limitations stated, to provide for and to grant 'special prior service credits' to its employees thereafter retiring, in addition to prior service credit allowed such employees at date of participation; further amending said Act by adding thereto a new section to be numbered Section XVI of said Act, providing for and allowing any participating municipality at its election and subject to the limitations herein stated, to provide for and to grant 'antecedent service credits' as herein defined to its employees then in its employment who thereafter retire; repealing Chapter 223, Acts of the Regular Session of the 58th Legislature; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Conference Committee Report on Senate Joint Resolution 8

Senator Wilson submitted the following Conference Committee Report on S. J. R. No. 8:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Joint Resolution No. 8, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WILSON  
WORD  
HERRING  
AIKIN

On the part of the Senate

TRAEGER  
CLAYTON  
JONES of Lubbock  
SEMOs

On the part of the House

S. J. R. No. 8, Proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance grants out of state funds to and/or medical care on behalf of needy aged persons, needy persons who are totally and permanently disabled, needy blind persons, and needy dependent children and the caretakers of such children; providing rehabilitation and any other services included in the federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care; authorizing the Legislature to prescribe eligibility requirements; providing for the acceptance and expenditure of funds from the Government of the United States for such purposes; authorizing appropriations for such purposes out of state funds; providing that the maximum amount paid out of state funds to any individual recipient shall not exceed the amount that is matchable out of federal funds; providing that the total amount of such payments for assistance only out of state funds on behalf of such needy individuals shall not exceed Eighty Million Dollars (\$80,000,000) per year; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes as they now are or as they may be amended, to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; providing for the necessary election, form of ballot, proclamation, and publication.

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

Section 1. That Section 51a of Article III of the Constitution of the State of Texas be amended, and the same is hereby amended so as to read as follows:

"Section 51a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

"(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years:

"(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons;

"(4) Needy dependent children and the caretakers of such children.

"The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any needy person shall not exceed the amount that is matchable out of federal funds; provided that the total amount of such assistance payments only out of state funds on behalf of such individuals shall not exceed the amount of Eighty Million Dollars

(\$80,000,000) during any fiscal year.

"Supplementing legislative appropriations for assistance payments authorized by this Section, the following sums are allocated out of the Omnibus Tax Clearance Fund and are appropriated to the State Department of Public Welfare for the period beginning September 1, 1969, and ending August 31, 1971: Three Million, Six Hundred Thousand Dollars (\$3,600,000) for Old Age Assistance, Two Million, Five Hundred Thousand Dollars (\$2,500,000) for Aid to the Permanently and Totally Disabled, and Twenty-three Million, Nine Hundred Thousand Dollars (\$23,900,000) for Aid to Families with Dependent Children. Such allocations and appropriations shall be made available on the basis of equal monthly installments and otherwise shall be subject to the provisions of currently existing laws making allocations and appropriations for these purposes.

"Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

"Nothing in this section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional

Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday in August, 1969. At the election the ballots shall be printed to provide for voting "FOR" or "AGAINST" the proposition:

"The Constitutional Amendment providing for assistance to and/or medical care on behalf of the needy aged, the needy blind, the needy disabled, and the needy dependent children and their caretakers; establishing Eighty Million Dollars (\$80,000,000) as the maximum amount that may be paid per year from state funds for assistance only; allocating and appropriating additional sums supplementing current legislative appropriations for assistance grants; and authorizing the Legislature to enact such laws as may be necessary in order that federal matching money will be available for assistance and/or medical care."

The Conference Committee Report was read and was adopted by the following vote:

#### Yeas—27

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	McKool
Blanchard	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

#### Nays—1

Mauzy

#### Absent—Excused

Bridges	Harrington
Connally	

#### Reason for Vote

I voted against the adoption of the Conference Committee report on S. J. R. 8 because, in my judgment, the ceiling placed upon public assistance is violative of the United States Constitution, which guarantees equal protection of the laws. There is presently pending before a 3-judge federal court in Dallas a lawsuit raising this

very question.

No other State in the American Union places a constitutional limitation upon its legislature regarding this question. It is unconscionable as well as unconstitutional to put a dollar mark upon human suffering. The Legislature of Texas should be free to appropriate whatever money is needed to permit the needy of this State, be they blind, disabled, aged or dependent children, to live their lives in decency and dignity. I believe that it is the responsibility of the Legislature to provide adequate tools which will permit those who are capable of being educated to become productive, useful citizens who can hold a job, thus becoming taxpayers rather than tax-eaters.

In the words of President Richard Nixon, "We should provide a system which will permit those presently in need to be on the payroll rather than the welfare rolls."

#### MAUZY

#### Senate Bill 225 on Second Reading

On motion of Senator Cole, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 225, A bill to be entitled "An Act creating, under Article XVI, Section 59, of the Texas Constitution, the Gulf Coast Waste Disposal Authority, for the purpose of preventing water pollution in Chambers, Galveston, and Harris counties, by providing on a regional basis means for disposal of wastes and for the regulation of waste disposal; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 225 on Third Reading

Senator Cole moved that the Constitutional Rule and State Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 225 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Bernal
Bates	Berry

Blanchard	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harris	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Wilson
Jordan	Word

Absent—Excused

Bridges	Harrington
Connally	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Concurrent Resolution 38 on Second Reading

On motion of Senator Schwartz, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 38, Directing the Inter-agency Natural Resources Council to make a comprehensive study of certain State lands.

The resolution was read.

Senator Schwartz offered the following amendment to the resolution:

Amend Sec. 3, S. C. R. No. 38, by striking all the language following "The United States Department of the Interior," to wit, "the School Land Board of Texas, Texas Water Pollution Control Board, and the Bureau of Economic Geology of the University of Texas," and inserting in lieu thereof the following language:

"the member agencies of the Inter-agency Natural Resources Council, and the Bureau of Economic Geology of The University of Texas."

The amendment was read and was adopted.

The resolution as amended was then adopted.

#### Committee Substitute Senate Bill 465 on Second Reading

On motion of Senator Aikin, and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 465, A bill to be entitled "An Act relating to mental health and mental retardation; amending the Texas Mental Health and Mental Retardation Act, being chapter 67, Acts 59th Legislature, Regular Session, 1965, as amended (codified as Articles 5547-201, 5547-202 as amended, 5547-203 as amended, and 5547-204 as amended, Vernon's Texas Civil Statutes); providing for severability; providing a repealer; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute  
Senate Bill 465 on Third Reading**

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bridges	Harrington
Connally	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—28**

Aikin	Bernal
Bates	Berry

Blanchard	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harris	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Wilson
Jordan	Word

**Absent—Excused**

Bridges	Harrington
Connally	

**Senate Concurrent Resolution 61  
on Second Reading**

On motion of Senator Creighton, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 61, Providing for the creation of the State Aircraft Committee.

The resolution was read.

On motion of Senator Creighton, and by unanimous consent, the resolution was considered immediately and was adopted.

**Bills and Resolutions Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. B. No. 14, A bill to be entitled "An Act changing the name of soil and water conservation district supervisors; amending Chapter 3, page 7, General Laws, Acts of the 46th Legislature, Regular Session, 1939, as amended (Article 165a-4, Vernon's Texas Civil Statutes), by adding a Section 3a; and declaring an emergency."

S. B. No. 112, A bill to be entitled "An Act to include within the definition of the term 'exceptional children' eligible for special education services pregnant girls who are residents of or under the care of licensed maternity homes; etc.; and declaring an emergency."

H. J. R. No. 3, Proposing a Constitutional Amendment repealing Sections 42, 46, and 48 of Article III, etc.



H. J. R. No. 7, Proposing an Amendment to Article III, Constitution of the State of Texas by adding a new section which would remove constitutional limitations on rates of interest to be borne by bonds issued pursuant to constitutional authority.

#### Senate Bill 331 on Second Reading

On motion of Senator Snelson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 331, A bill to be entitled "An Act relating to the punishment for murder without malice; amending Section 3-a, Chapter 274, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 1257b, Vernon's Texas Penal Code); and declaring an emergency."

The bill was read second time.

Senator Snelson offered the following amendment to the bill:

Amend Section 1 where it reads "but may assess life imprisonment or any term of year not less than two;" to read, "but may assess any term of years not less than two nor more than twenty-five;"

The amendment was read and was adopted.

On motion of Senator Snelson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 331 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 331 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Christie
Bates	Cole
Bernal	Creighton
Berry	Grover
Blanchard	Hall
Brooks	Harris

Hazlewood	Patman
Herring	Ratliff
Hightower	Schwartz
Jordan	Snelson
Kennard	Strong
Mauzy	Watson
McKool	Wilson
Moore	Word

Absent—Excused

Bridges	Harrington
Connally	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 250 on Second Reading

On motion of Senator Snelson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 250, A bill to be entitled "An Act amending subparagraph 5 of Article 18.02, Code of Criminal Procedure, providing for the issuance of a search warrant authorizing the seizure of items of evidentiary value; amending Article 18.13, Code of Criminal Procedure, providing the rules under which such warrant may issue; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 250 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 250 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Harris
Bates	Hazlewood
Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Brooks	Kennard
Christie	Mauzy
Cole	McKool
Creighton	Moore
Grover	Patman
Hall	Ratliff

Schwartz  
Snelson  
Strong

Watson  
Wilson  
Word

Absent—Excused

Bridges  
Connally

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 424 on Second Reading

On motion of Senator Brooks, by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 424, A bill to be entitled "An Act eliminating the freeholder-householder qualification for jurors; etc.; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend Sec. 1 of S. B. 424 by striking the words "pay poll tax" on line 30 and substituting in lieu thereof the words "register to vote."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

#### Senate Bill 424 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  
Bates  
Bernal  
Berry  
Blanchard  
Brooks  
Christie  
Cole  
Creighton  
Grover

Hall  
Harris  
Hazlewood  
Herring  
Hightower  
Jordan  
Kennard  
Mauzy  
McKool  
Moore

Patman  
Ratliff  
Schwartz  
Snelson

Strong  
Watson  
Wilson  
Word

Absent—Excused

Bridges  
Connally

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Concurrent Resolution 93 on Second Reading

On motion of Senator Cole, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 93, Inviting the Honorable Edmund S. Muskie to address a Joint Session.

The resolution was read.

On motion of Senator Cole, and by unanimous consent, the resolution was considered immediately and was adopted.

#### House Bill 117 on Third Reading

The President laid before the Senate as Special Order on its third reading and final passage:

H. B. No. 117, A bill to be entitled "An Act to be known and cited as the Texas Tort Claims Act; etc.; and declaring an emergency."

The bill was read third time.

(Senator Harris in the Chair.)

Senator Aikin offered the following amendment to the bill:

Amend H. B. 117 by striking out Section 19A, and substituting therefor the following:

"The provisions of this Act shall not apply to school districts except as to motor vehicles."

AIKIN  
JORDAN

The amendment was read and was adopted by the following vote:

Yeas—25

Aikin

Bates

Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Grover	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Wilson
Herring	Word
Hightower	

## Nays—3

Creighton	Watson
Ratliff	

## Absent—Excused

Bridges	Harrington
Connally	

The bill as amended was then finally passed.

## Record of Votes

Senators Patman, Blanchard, Hazlewood, Strong, Watson, Grover, Word, Ratliff, Harris and Creighton asked to be recorded as voting "Nay" on the final passage of H. B. No. 117.

## Senate Bill 135 on Second Reading

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 135, A bill to be entitled "An Act relating to the possession of certain firearms and prohibited weapons by a person charged with, indicted for, or convicted of a felony; etc.; and declaring an emergency."

The bill was read second time.

Senator Hightower offered the following Committee Amendment to the bill:

Amend Section 1 of Senate Bill 135 by deleting the phrase "who is charged with or indicted for a felony or" from lines 24 and 25 of the bill.

The Committee Amendment was read and was adopted.

Senator Hightower offered the following Committee Amendment to the bill:

Amend the caption of S. B. 135 to conform to the body of the bill.

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

## Senate Bill 135 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

## Absent—Excused

Bridges	Harrington
Connally	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

## Absent—Excused

Bridges	Harrington
Connally	

**Committee Substitute  
Senate Bill 332 on Second Reading**

On motion of Senator Wilson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 332, A bill to be entitled "An Act amending paragraph (h) of Section 5 of Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, as amended by Chapter 273, Acts of the 60th Legislature, Regular Session, 1967, codified as paragraph (h) of Section 5 of Article 8280-188 of Vernon's Annotated Civil Statutes of Texas: clarifying the powers of the Board of Directors of the Trinity River Authority of Texas over the recreational facilities which the Authority is required to develop; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute  
Senate Bill 332 on Third Reading**

Senator Wilson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bridges	Harrington
Connally	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 269 on Second Reading**

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 269, A bill to be entitled "An Act relating to the creation of the Commission on Fire Protection Personnel Standards and Education and its powers and duties; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 269 on Third Reading**

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bridges	Harrington
Connally	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—28**

Aikin	Brooks
Bates	Christie
Bernal	Cole
Berry	Creighton
Blanchard	Grover

Hall	Moore
Harris	Patman
Hazlewood	Ratliff
Herring	Schwartz
Hightower	Snelson
Jordan	Strong
Kennard	Watson
Mauzy	Wilson
McKool	Word

Absent—Excused

Bridges	Harrington
Connally	

**Senate Bill 758 on First Reading**

By unanimous consent, Senator Hazlewood moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bridges	Harrington
Connally	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hazlewood:

S. B. No. 758, A bill to be entitled "An Act to amend the 'Dangerous Drug Act' (Article 726d, Vernon's Annotated Penal Code), Acts 1959, 56th Legislature, Regular Session, p. 923, Ch. 425, as amended Acts 1965, 59th Legislature, Regular Session, p. 971, Ch. 466, so as to include lysergic acid, diethylamide, LSD, peyote, mescaline and other hallucinogens in the list defining 'dangerous drugs'; specifying possession of such drugs to be an unlawful act; provid-

ing that the illegal sale, manufacture or furnishing of any dangerous drug to be unlawful; fixing and amending penalties; amending Sections 2, 3, 4, and 15 of said Statute; adding Section 14a to said Statute relating to issuance of search warrants for dangerous drugs; exempting members of the Native American Church having 25% or more Indian blood; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

**Presentation of Guest**

On motion of Senator Kennard and by unanimous consent, Representative Ben Atwell, who was present in the Senate Chamber was requested to address the Senate.

Mr. Atwell was escorted to the President's Rostrum by Senators Blanchard and Kennard.

The Presiding Officer presented Senator Blanchard and he presented Mr. Atwell to the Senate.

Mr. Atwell then addressed the Senate.

(President in the Chair.)

**Senate Bill 276 on Second Reading**

On motion of Senator Wilson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 276, A bill to be entitled "An Act relating to the recording of certain instruments and affidavits for the purpose of establishing or perfecting a lien on real property; providing a penalty; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 276 on Third Reading**

Senator Wilson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 276 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Bernal
Bates	Berry

Blanchard	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harris	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Wilson
Jordan	Word

Absent—Excused

Bridges	Harrington
Connally	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Report of Standing Committee

Senator Hall, by unanimous consent submitted, the following report:

Austin, Texas,  
April 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, Districts and Urban Affairs, to which was referred H. B. No. 495, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman  
WORD

#### Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

H. C. R. No. 92, Commending the Buccaneer Commission, Inc., and the City of Corpus Christi for creating and continuing its Buccaneer Days Celebration.

H. B. No. 1022, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, known as 'Baytown Levee District'; etc.; and declaring an emergency."

#### Senate Bill 268 on Second Reading

On motion of Senator Cole, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 268, A bill to be entitled "An Act amending Article 1430, Penal Code of Texas, 1925, relating to the receiving of stolen property; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following amendment to the bill:

Amend Section 2(a), Article 1430 of Section 1 of S. B. No. 268 by deleting the word "dealer" and inserting in lieu thereof the word "person."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

#### Senate Bill 268 on Third Reading

Senator Cole moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 268 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bridges	Harrington
Connally	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Motion to Place Committee Substitute Senate Bill 480 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 480 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up C. S. S. B. No. 480 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present.)

#### Yeas—11

Bernal	Hazlewood
Blanchard	Herring
Creighton	Kennard
Grover	Patman
Hall	Snelson
Harris	

#### Nays—16

Aikin	Mauzy
Bates	McKool
Berry	Moore
Brooks	Schwartz
Christie	Strong
Cole	Watson
Hightower	Wilson
Jordan	Word

#### Absent

Ratliff

#### Absent—Excused

Bridges	Harrington
Connally	

#### Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. J. R. No. 8, Proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance grants out of state

funds to and/or medical care on behalf of needy aged persons, needy persons who are totally and permanently disabled, needy blind persons, and needy dependent children and the caretakers of such children; etc.

#### Senate Bill 164 on Second Reading

On motion of Senator Hall, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 164, A bill to be entitled "An Act creating the Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers under certain circumstances; etc.; and declaring an emergency."

The bill was read second time.

Senator Strong offered the following amendment to the bill:

Amend S. B. No. 164 by deleting from Sec. 51 the words: "nor to any holder of a valid license from the Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers."

The amendment was read and was adopted.

Senator Strong offered the following amendment to the bill:

Amend S. B. 164 by deleting from Sec. 15(b) the words "to be determined by the Board" and substituting in lieu thereof "to be based upon the standards for Texas Law Enforcement Officers as determined by the Texas Commission on Law Enforcement Officer Standards and Education."

2. Add to Sec. 52 the following: "In no other case shall persons licensed hereunder be permitted to carry firearms unless authorized by some other law of the state."

The amendment was read and was adopted.

On motion of Senator Hall, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 164 on Third Reading**

Senator Hall moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 164 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

**Absent—Excused**

Bridges	Harrington
Connally	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Votes**

Senators Blanchard and Watson asked to be recorded as voting "Nay" on the final passage of the bill.

**Senate Concurrent Resolution 34 on Second Reading**

On motion of Senator Harris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 34, Providing for a Special Committee to provide for placement of Seals of Six Nations which have governed Texas on the Capitol Building.

The resolution was read.

On motion of Senator Harris, and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Concurrent Resolution 12 on Second Reading**

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 12, Requesting the Texas Commission on Law Enforcement Officer Standards and Education to inform the Legislature of the earliest possible date all peace officers should be required to be certified by the Commission.

The resolution was read.

On motion of Senator Hightower, and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Concurrent Resolution 30 on Second Reading**

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 30, Providing for a Committee to be known as the Committee for Permanent Assignment of Space in the Capitol.

The resolution was read.

On motion of Senator Hightower, and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Concurrent Resolution 36 on Second Reading**

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 36, Providing for a Special Committee to Study Space Utilization in the Capitol.

The resolution was read.

On motion of Senator Hightower, and by unanimous consent, the resolution was considered immediately and was adopted.



### Welcome and Congratulatory Resolutions

S. R. No. 528—By Senator Mauzy: Extending congratulations to James Lehrer for creation of the novel "Viva Max."

S. R. No. 529—By Senator Jordan: Extending welcome to students of Phillis Wheatley Senior High School of Houston.

S. R. No. 530—By Senator Jordan: Extending welcome to students of Jack Yates High School of Houston.

S. R. No. 531—By Senators Watson and Patman: Extending welcome to Court of Brenham Maifest.

S. R. No. 532—By Senators Word and Hall: Extending congratulations to Damon Richard Capps on receipt of "Hilday's Cutback Award."

S. R. No. 533—By Senator Bernal: Extending congratulations to Sammy Cangelosi on his outstanding achievements.

S. R. No. 534—By Senator Watson: Extending welcome to Jimmy Le Blond of Waco.

### Adjournment

On motion of Senator Aikin the Senate at 11:45 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

### APPENDIX

#### Sent to Governor

Thursday, April 17, 1969

S. C. R. No. 63

S. J. R. No. 6

S. B. No. 112

S. B. No. 14

### FIFTY-THIRD DAY

(Friday, April 18, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word
Herring	

### Absent—Excused

Bates	Harrington
Cole	Kennard
Connally	Schwartz

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

### Leaves of Absence

Senator Cole was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Watson.

Senator Connally was granted leave of absence for today on account of illness in the family on motion of Senator Word.

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Hightower.